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EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/540,105

Applicant(s)

SARFATI, JEAN-CLAUDE

Examiner

Christopher E. Lee

Art Unit

2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9,13,17,19-31,34,37,39 and 43-53 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9,13,17,19-31,34,37,39 and 43-53 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: _____

Art Unit: 2181

DETAILED ACTION

1. Receipt is acknowledged of the Preliminary Amendment filed 31st of March, 2000. Claims 1,5,6, 9,13,17,19,24-26,28-31 and 34-37 have been amended; claims 7-8,10-12,14-16,18,32-33,38 and 40-42 have been canceled; and claims 43-53 have been newly added.

Currently, claims 1-6,9,13,17,19-31,34-37,39 and 43-53 are pending in this application.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:
It does not identify the citizenship of each inventor.

Drawings

3. The drawings are objected to because Fig. 13. is drawn on 4 separate pages. Every drawings on separate pages should have different figure signs even if all the drawings on those pages are associated with each other. The Examiner suggests Fig. 13a, Fig. 13b, Fig. 13c and Fig. 13d, or the like for the Fig. 13 and Fig. 13(cont) on the drawing. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: The title "DOWNLOADING DATA" on page 1 in the specification is not matched with the declared title "INSTREAM LOADER" on the Oath/Declaration document.

Appropriate correction is required.

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Art Unit: 2181

In regarding to claim 44 and its dependent claims 9, 45, 46 and 49, the limitations in the claims, which are related to the receiver/decoder, are not shown in the disclosure. The disclosure states those limitations are related only to the transmission system.

In regarding to claim 45 and its dependent claims 46 and 49, the limitation “respective different TID-extensions” in the claims, which is related to the receiver/decoder, is not shown in the disclosure. The disclosure states the limitation is related only to the transmission system.

Claim Objections

6. Claims 5 and 24 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

a) The limitation “the downloaded data loader performs the downloading of the data” in the claim 5 is involved in its parent claim 1.

b) The limitation “the downloaded data loader performs the downloading of data from the bit stream” in the claim 24 is involved in its parent claim 20.

7. Claims 2-6,9,13,17,19,43-51,21-31,34-37 and 53 are objected to because of the following informalities:

a) Regarding to claim 34, substitute “the directory” by --the directory table--.

b) Regarding to claims 37 and 39, substitute “the or each” by --at least--.

c) Regarding to claims 2-6,9,13,17,19,43-51, substitute “A method” by --The method--.

d) Regarding to claims 21-31, substitute “A receiver/decoder” by --The receiver/decoder--.

e) Regarding to claims 34-37,53, substitute “A transmission system” by --The transmission system--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claim 51 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The limitation "transmitting a second data loader included in said bitstream at the receiver/decoder" should be changed to "transmitting a second data loader included in said bitstream at a transmitting system" in light of the application disclosure.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 28 and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation "the version number of the receiver/decoder" in line 6.

Claims 28 and 48 recite the limitation "the predetermined TID extension" in lines 6-7 of claim 28 and in line 5 of claim 48.

There is insufficient antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2181

13. Claims 1, 2, 5, 9, 20, 21, 24, 26, 27, 31, 39, 43, 46 and 51 rejected under 35 U.S.C. 102(b) as being anticipated by Menand et al. [EP 0 680 213 A2; cited by the Applicant; hereinafter Menand_A].

Referring to claim 20, Menand_A disclose a receiver/decoder (AVI receiver/signal decoder; See Fig. 1 and abstract) composing: a receiver (AVI receiver; See col. 2, line 36) for receiving a bitstream (i.e., packet data stream; See col. 1, line 26-28) including data (i.e., code/data module; See col. 2, lines 11-17); storage means (RAM read/write memory 412 of Fig. 1); and downloading means (i.e., system loader; See col. 2, line 37) for downloading said bitstream into said storage means a loader (i.e., autostart module; See col. 2, lines 40-43 and col. 7, lines 42-50) for loading said data from said bitstream into said receiver/decoder (See col. 2, line 36 through col. 3, line 2 and col. 7, lines 28-53).

Referring to claim 21, Menand_A disclose means for deleting (i.e., freeing; See col. 2, line 56) said downloaded data loader (i.e., autostart module) from said storage means after said data (i.e., new code module; See col. 7, lines 49-51) has been downloaded from said bitstream (See col. 2, lines 57-58 and col. 7, lines 51-53).

Referring to claim 24, Menand_A disclose said downloaded data loader (i.e., autostart module; See col. 2, lines 40-43 and col. 7, lines 42-50) is adapted to perform (i.e., download) said downloading of data from said bitstream (See col. 2, line 36 through col. 3, line 2).

Referring to claim 26, Menand_A disclose said receiver/decoder is arranged to download tables (i.e., directory modules; See col. 2, lines 14-17 and lines 36-40).

Referring to claim 27, Menand_A disclose said downloading means (i.e., system loader) is arranged to download a table (i.e., a directory module; See col.2, lines 36-40) having a table identification ("TID"; i.e., module identification for directory module) and a predetermined table identification extension ("TID-extension"; i.e., module identification for code/data module; See directory module 326 and module 328 in Fig. 4) so as to download a directory table (i.e., directory module; See col. 2, lines 14-17 and lines 36-38 and col. 7, lines 28-38), to determine from the content of said directory table said TID-

Art Unit: 2181

extensions of module tables (See col. 14, lines 4-10), and to download said module tables (See col. 14, lines 20-23) having the same TID (i.e., the same directory module identification; See col. 14, lines 41-44) as that of said downloaded directory table (i.e., directory module) and TID-extensions (e.g., code module identifier) determined from said downloaded directory table (See directory module 326 and module 328 in Fig. 4) so as to download said loader (e.g., code module). Refer to col. 13, line 9 through col. 15. line 1.

Referring to claim 31, Menand_A disclose said downloading means (i.e., system loader) is arranged to download a second loader (i.e., new code module; See col. 7, lines 49-51) included in data (i.e., code/data module) included in said bitstream (i.e., packet data stream) for downloading one of said first-mentioned loader (i.e., autostart module) and said data.

Referring to claim 39, Menand_A disclose a signal (AVI signal; See col. 1, lines 26-28) including at least one loader (i.e., autostart module) for loading data (i.e., data from data module; See col. 2, line 47 and col. 7, lines 44-50) into a receiver/decoder (AVI receiver/signal decoder; See Fig. 1 and abstract), and data associated with said at least loader (See col. 2, lines 43-49), said at least loader being divided into a plurality of modules (i.e., a plurality of code modules) and said data associated with said at least loader being divided into a respective plurality of modules (i.e., a plurality of associated data modules to said code modules). Refer to col. 1, line 53 through col. 2, line 24.

Referring to claim 1, the method steps of claim 1 are inherently performed by the apparatus of claim 20, and therefore the rejection of claim 20 applies to claim 1.

Referring to claim 2, the method steps of claim 2 are inherently performed by the apparatus of claim 21, and therefore the rejection of claim 21 applies to claim 2.

Referring to claim 5, the method steps of claim 5 are inherently performed by the apparatus of claim 24, and therefore the rejection of claim 24 applies to claim 5.

Art Unit: 2181

Referring to claims 9 and 46, the method steps of claims 9 and 46 are inherently performed by the apparatus of claim 27, and therefore the rejection of claim 27 applies to claims 9 and 46.

Referring to claim 43, the method steps of claim 43 are inherently performed by the apparatus of claim 39, and therefore the rejection of claim 39 applies to claim 43.

Referring to claim 51, the method steps of claim 51 are inherently performed by the apparatus of claim 31, and therefore the rejection of claim 31 applies to claim 51.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 3, 4, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Bowen et al. [US 5,367,571; hereinafter Bowen].

Referring to claims 22 and 23, Menand_A disclose all the limitations of claims 22 and 23 except that do not teach said receiver/decoder further comprising a non-volatile memory, which is a Flash memory volume.

Bowen disclose a subscriber terminal, wherein a non-volatile memory (FLASH EPROM 134 of Fig. 7), which is a Flash memory volume (See col. 7, lines 54-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have substituted said non-volatile Flash memory volume, as disclosed by Bowen, for said storage means (i.e., RAM read/write memory), as disclosed by Menand_A, for the advantage of saving a lot of time being spent re-downloading data since it is not necessary for said receiver/decoder to download

Art Unit: 2181

again said data after said receiver/decoder is off and on thanks to said non-volatile Flash volume, which keeps said data under said non-volatile condition.

Menand_A, as modified by Bowen, disclose said non-volatile Flash memory volume (FLASH EPROM 134 of Fig. 7; Bowen) stores said downloaded data loader after said data has been downloaded from said bitstream.

Referring to claim 3, the method steps of claim 3 are inherently performed by the apparatus of claim 22, and therefore the rejection of claim 22 applies to claim 3.

Referring to claim 4, the method steps of claim 4 are inherently performed by the apparatus of claim 23, and therefore the rejection of claim 23 applies to claim 4.

16. Claims 6 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Bestler et al. [US 5,608,732; hereinafter Bestler].

Referring to claim 25, Menand_A disclose all the limitations of claim 25 except that do not teach said downloaded data loader is adapted to replace a portion only of data stored in said receiver/decoder by a corresponding portion of data downloaded thereby.

Bestler disclose an television distribution system, wherein a data loader (download executive 23 of Fig. 1) is adapted to replace (i.e., update) a portion only of data stored (See col. 13, lines 14-16; wherein in fact that a series of packets which are to be processed to download a particular record set implies said downloaded data loader (i.e., download executive) replaces (i.e., download for updating) a portion only (i.e., particular record set) of data stored (i.e., record set)) in a receiver/decoder (Cable system 10 comprising headend 11 and decoder 12 in Fig. 1) by a corresponding portion of data downloaded (See col. 13, lines 32-35) thereby (See col. 13, lines 14-39).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said data updating feature, as disclosed by Bestler, in said downloaded data loader,

Art Unit: 2181

as disclosed by Menand_A, for the advantage of saving a lot of time being spent downloading data since said data updating feature supports downloading a necessary portion of data instead of a full set of data.

Referring to claim 6, the method steps of claim 6 are inherently performed by the apparatus of claim 25, and therefore the rejection of claim 25 applies to claim 6.

17. Claim 17, 19 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Lett [WO 97/20432; cited by the Applicant].

Referring to claim 30, Menand_A disclose all the limitations of claim 30 except that do not teach said data loader is in the form of code which is specific to the hardware of said receiver/decoder. Lett discloses a home communications terminal, wherein a data loader (i.e., program code; See page 18, line 16) is in the form of code (i.e., executable by control processor) which is specific to the hardware (i.e., particular processor) of said receiver/decoder (See page 18, line 16 through page 19, line 5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said means for downloading hardware specific executable code, as disclosed by Lett, in said AVI receiver/decoder for said data loader, as disclosed by Menand_A, for the advantage of saving a downloading time since it needs only smaller bandwidth than a full size object file does (i.e., compiled and optimized executable machine codes taking small capacity in bandwidth is well known in the art of assembly programming).

Referring to claims 17 and 19, the method steps of claims 17 and 19 are inherently performed by the apparatus of claim 30, and therefore the rejection of claim 30 applies to claims 17 and 19.

18. Claims 29 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Metz et al. [US 5,666,293; cited by the Applicant; hereinafter Metz].

Referring to claim 29, Menand_A disclose all the limitations of claim 29 except that do not teach a directory version identification.

Art Unit: 2181

Metz disclose a downloading means (i.e., means for downloading operating system software; See abstract) is arranged to determine whether a directory version identification (i.e., operating system version number) of a currently transmitted directory table (i.e., operating system broadcast on the network; See col. 9, line 61) is more recent than (i.e., differs from; See col. 9, line 66) said directory version identification of a previously downloaded directory table (i.e., currently running operating system; See col. 9, lines 62-63) having the same TID (i.e., the particular type set-top terminal; See col. 9, lines 56-58) as said currently transmitted directory table (See col. 9, line 65 through col. 10, line 1), and if not (i.e., the same as; See col. 9, lines 61-62), to abort said downloading of said loader (i.e., operating system; See col. 9, lines 60-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said version control, as disclosed by Metz, in said directory/code module upgrading, as disclosed by Menand_A, for the advantage of obviating an unnecessary upgrading said modules so as to use said receiver/decoder downloading bandwidth effectively.

Referring to claim 49, the method steps of claim 49 are inherently performed by the apparatus of claim 29, and therefore the rejection of claim 29 applies to claim 49.

19. Claims 28, 47, 48 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Menand et al. [EP 0 680 216 A2; cited by the Applicant; hereinafter Menand_B].

The term "the predetermined TID extension" in lines 6-7 of the claim 28 and in line 5 of the claim 48 could be considered as --a predetermined TID extension-- and the term "the version number of the receiver/decoder" in line 6 of the claim 28 could be considered as --a version number of receiver/decoder-- since it is not clearly defined in the claims. Note above the claim rejection 35 U.S.C. 112 about the term "the predetermined TID extension".

Referring to claim 28, Menand_A disclose all the limitations of claim 50 including said downloading means (i.e., system loader) is arranged to download a directory table (i.e., a directory

Art Unit: 2181

module; See col.2, lines 36-40) except that do not teach said downloaded directory table having a predetermined TID and containing, for each of a plurality of version identifications of a receiver/decoder, a respective TID associated with that version identification.

Menand_B disclose a method for formulating an interactive TV signal, wherein a directory table (i.e., directory module; See TABLE II in Fig. 6) having a predetermined TID (i.e., application identifier; AID in Fig. 6) and containing, for each of a plurality of version identifications (i.e., module version numbers in Fig. 6) of a receiver/decoder (i.e., interactive TV system in Fig. 1), a respective TID (i.e., application identifier) associated with that version identification (See Fig. 6 and page 5, lines 53-58), to determine said version identification of said receiver/decoder (See page 5, lines 39-40), and to download a directory table (i.e., directory module) having a TID associated with a version number of said receiver/decoder (See page 5, lines 40-41) and a predetermined TID-extension (i.e., module identifier; See TABLE II in Fig. 6 and page 5, lines 41-42).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said predetermined TID and said version identifications in said directory table, as disclosed by Menand_B, in said directory table, as disclosed by Menand_A, so as to update said downloaded modules responsive to detecting a change in said data version identification (i.e., module version number; See page 5, lines 39-41 in Menand_B).

Referring to claims 47 and 48, the method steps of claims 47 and 48 are inherently performed by the apparatus of claim 28, and therefore the rejection of claim 28 applies to claims 47 and 48.

Referring to claim 50, Menand_A disclose all the limitations of claim 50 except that do not teach a data version identification of said data in said bitstream.

Menand_B disclose a method for formulating an interactive TV signal, wherein a formulated bitstream (i.e., packet stream) includes a data version identification (i.e., module version number; See Fig. 5 and 6) of a data (i.e., module).

Art Unit: 2181

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said data version identification, as disclosed by Menand_B, in said bitstream of said data, as disclosed by Menand_A, so as to update a downloaded executing application responsive to detecting a change in said data version identification (i.e., module version number; See page 5, lines 39-41 in Menand_B).

Menand_A, as modified by Menand_B, disclose determining, at said receiver/decoder, whether said data version identification of received data is more recent than said data version identification of currently stored data (See page 5, lines 39-40; Menand_B); and downloading said received data from said bitstream data if said received data is more recent (See page 5, lines 40-41; Menand_B).

20. Claims 34, 35 36, 44, 45, 52 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_B in view of Menand_A.

Referring to claim 52, Menand_B disclose a transmission system (i.e., interactive TV system in Fig. 1) comprising: means for transmitting (See page 4, lines 16-17) a bit stream (i.e., signal stream; See Fig. 8,9 and page 4, line 24) including at least one loader (i.e., interactive application; See page 3, lines 18-19); and means for dividing (See page 3, lines 19-22) said at least one loader (i.e., interactive application) into a plurality of modules (i.e., modules; See page 3, lines 33-34), and dividing said data (i.e., interactive component data; See page 3, line 35) associated with said at least one loader into a respective plurality of modules (i.e., application data module; See page 3, line 33) for transmittal by said transmitting means (e.g., satellite transponder; See page 4, lines 16-17).

Menand_B do not disclose said at least one loader for loading data into a receiver/decoder, and data associated with said at least one loader.

Menand_A disclose a loader (i.e., autostart module; See col. 2, lines 40-43 and col. 7, lines 42-50) for loading data (i.e., data module; See col. 2, lines 13-14) into a receiver/decoder (See col. 2, line 36 through col. 3, line 2 and col. 7, lines 28-53).

Art Unit: 2181

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said loader, as disclosed by Menand_A, in said interactive application, as disclosed by Menand_B, so as to load an associated code/data modules from said bitstream into said receiver/decoder (See col. 7, lines 46-51; Menand_A).

Referring to claim 35, Menand_B disclose means for generating a directory table (i.e., directory module; See page 5, lines 51-58) having a predetermined table identification ("TID"; Application Identifier AID; See Fig. 6 and page 5, lines 54-55) and containing, for each of a plurality of version identifications (i.e., module version numbers in Fig. 6) of a receiver/decoder (i.e., interactive TV system in Fig. 1), a respective TID (i.e., application identifier) associated with that version identification (See Fig. 6 and page 5, lines 53-58).

Referring to claim 36, Menand_B disclose means for including in each transmitted table (i.e., module) a version identification (i.e., module version number; See Fig. 5,6; therefore (See page 5, lines 39-40).

Referring to claim 53, Menand_B disclose means for formatting each of said modules of said at least one loader as a respective table (i.e., directory module; See TABLE II in Fig. 6 and page 5, lines 51-54), said table of said at least one loader having the same respective table identification ("TID"; Application Identifier AID; See Fig. 6 and page 5, lines 54-55) and respective different table identification extension ("TID-extension"; i.e., module identification for code/data module; See Module Identifier in Fig. 5,6); and means for formatting each of said modules of said data associated with said at least one loader (See page 3, lines 32-35) as a respective table (See TABLE II "respective table for each module" in Fig. 6), said tables of said loader modules associated therewith (See page 5, lines 56-57) and respective different TID-extensions (i.e., module identification for code/data module).

Referring to claim 44, the method steps of claim 44 are inherently performed by the apparatus of claim 53, and therefore the rejection of claim 53 applies to claim 44.

Art Unit: 2181

Referring to claim 34, Menand_B, as modified by Menand_A, disclose said tables have respective different TID-extensions (i.e., service component identifications for respective transport packets in the transmission unit header; See page 3, lines 19-35 and page 7, lines 1-4; Menand_B) other than a predetermined TID-extension (i.e., module identification for code/data module; See Module Identifier in Fig. 5,6; Menand_B); said system further comprising a respective directory tables (i.e., directory module) for said plurality of modules having the same TID (i.e., the same directory module identification; See col. 14, lines 41-44; Menand_A), each directory table having that TID (i.e., AID; See Fig. 6 ; Menand_B) and said predetermined TID-extension (i.e., module identification for code/data module), said directory table (i.e., directory module) containing for each of said modules a name of that module (i.e., string table for module names) and the respective TID-extension (i.e., module identifier). Refer to Fig. 6 and page 5, lines 53-58.

Referring to claim 45, the method steps of claim 45 are inherently performed by the apparatus of claim 34, and therefore the rejection of claim 34 applies to claim 45.

21. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_A in view of Menand_B as applied to claims 28, 47 and 50 above, and further in view of Hearing [US 5,787,017].

Referring to claim 13, Menand_A, as modified by Menand_B, disclose all the limitations of claim 13 except that do not teach said version identification comprises a code for the version of said receiver/decoder and a code for the manufacturer of said receiver/decoder.

Hearing discloses a data acquisition apparatus, wherein it displays a version identification (i.e., identification message) comprises a code for the version of said receiver/decoder (i.e., version number of said apparatus) and a code for the manufacturer of said receiver/decoder (i.e., name of manufacturer).

Refer to col. 4, lines 60-63.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said identification message, as disclosed by Hearing, in said version identification,

Art Unit: 2181

as disclosed by Menand_A, as modified by Menand_B, so as to provide an abundant information on said version identification for a better version control, which is a well-known in the art of production version control.

22. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menand_B in view of Menand_A as applied to claims 52, 35 and 36 above, and further in view of Lett.

Referring to claim 37, Menand_B, as modified by Menand_A, disclose all the limitations of claim 37 except that do not teach said at least loader is in the form of code which is specific to the hardware of said receiver/decoder .

Lett discloses a home communications terminal, wherein a data loader (i.e., program code; See page 18, line 16) is in the form of code (i.e., executable by control processor) which is specific to the hardware (i.e., particular processor) of said receiver/decoder (See page 18, line 16 through page 19, line 5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said means for downloading hardware specific executable code, as disclosed by Lett, in said interactive TV system, as disclosed by Menand_B, as modified by Menand_A, for the advantage of saving a downloading time since it needs only smaller bandwidth than a full size object file does (i.e., compiled and optimized executable machine codes taking small capacity in bandwidth is well known in the art of assembly programming).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 703-305-5950. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter S. Wong can be reached on 703-305-3477. The fax phone numbers for the organization where this

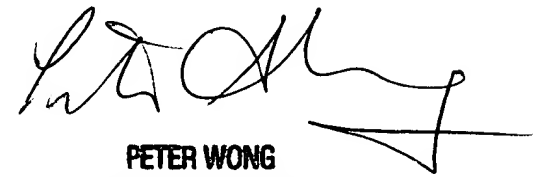
Art Unit: 2181

application or proceeding is assigned are 703-305-3718 for regular communications and 703-746-9248 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Christopher E. Lee
Examiner
Art Unit 2181

cel/ *CEL*
September 9, 2002



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